

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

CHARLES J. SENIOR, NORMAN FAHY, *
RONALD D. PHIPPS, RAYMOND W. *
POSTMA, THOMAS G. HIRL, *
GARRETT M. FAGAN and UNITED *
STEELWORKERS OF AMERICA, *
LOCAL 12004, *

Plaintiffs *

v. *

Civil Action No. 04-10160-EFH

NSTAR ELECTRIC AND GAS *
CORPORATION and COMMONWEALTH *
GAS COMPANY, *

Defendants. *

**DEFENDANTS' MOTION TO PROHIBIT USE OF EXPERT WITNESS (CAROL
CHANDOR) AND STRIKE EXPERT REPORT, AND IN ALTERNATIVE FOR LEAVE
TO CONDUCT DEPOSITION**

Defendants NSTAR Electric and Gas Corporation and Commonwealth Gas Company (collectively referred to as "Defendants") move that the Plaintiffs be precluded from relying upon the opinions of Carol Chandor ("Ms. Chandor"), designated by Plaintiffs as an expert witness. Defendants further move that Ms. Chandor's expert report be stricken. In the alternative, Defendants pray that they be granted leave to conduct Ms. Chandor's deposition. The grounds for this motion, as set forth in the memorandum of law submitted herewith, are that Ms. Chandor is expected to provide opinions, both in opposition to Defendants' Motion for Summary Judgment and at trial (if necessary), on subjects which are inappropriate for expert testimony.

CERTIFICATE

I certify that I have discussed the foregoing motion with Plaintiffs' counsel in an effort to resolve the underlying issues.

Respectfully submitted,

NSTAR ELECTRIC AND GAS
CORPORATION and
COMMONWEALTH GAS COMPANY,

By their Attorneys,

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By: 

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Dated: March 4, 2005

CERTIFICATE OF SERVICE

I, Robert P. Morris, certify that on March 4, 2005, I caused to be served a copy of the within pleading by hand on counsel for Plaintiffs, Warren H. Pyle, Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan, P.C., 18 Tremont Street, Suite 500, Boston, MA 02108.


Robert P. Morris